

<SAMPLE SUPPORT LETTER>

<Date>

The Honorable Noreen Evans
Chair, Senate Judiciary Committee
State Capitol Building, Room 4085
Sacramento, CA 95814

RE: SUPPORT SB 156 (Beall)

Dear Senator Evans,

On behalf of < Organization name>, I respectfully urge you to support the tens of thousands of Californian seniors and people with disabilities who are under the supervision of California's probate court by supporting SB 156 (Beall).

SB 156 gives judges greater discretion to protect estates from exorbitant billing and fees.

Conservatees often face a dilemma when they go to court to contest questionable costs: They must pay the conservator's legal fees – even if a judge ultimately finds the conservators had filed unjustified or excessive bills. Many times, this gap in the law has placed California's elderly and disabled adults in the untenable position of choosing to accept the overcharges solely because it will cost more to challenge them in court, win or lose. The upshot: The estates – set up by parents to keep their vulnerable sons and daughters financially secure when they could no longer be there to care for them – are being drained.

In one notable case, a San Jose man contested his estate manager's \$108,000 fee for four months of work and was able to get that fee lowered by a judge. But citing a statute, the judge said he had no choice but to require the trust pay out nearly \$150,000 in fees to the conservator's attorney.

SB 156 creates a fair and balanced process for conservatees to contest unjustifiable costs charged by their conservator while still allowing the court discretion to award conservators their attorney fees when deemed appropriate. It ensures that everyone has skin in the game by creating a "loser pays" scenario in which both sides risk paying their opponent's legal fees if they lose.

Finally, SB 156 will act as a deterrent to any unfair padding of costs, thereby reducing number of contested fee dispute cases in probate court.

For all these reasons, <I/ Organization name> strongly urge you to support SB 156 when it comes before you for a vote.

Sincerely,

<Name>

<Title>

Cc: Members, Senate Judiciary Committee
Senator Jim Beall